

**REMARKS****I. General**

Applicant notes with appreciation that claims 1-25 and 29-55 stand allowed. Claims 26-28 stand rejected under 35 U.S.C. § 103. Claims 26-28 have been canceled by the present amendment. Therefore, claims 1-25 and 29-55 will remain pending after entry of the present amendment. Applicant respectfully traverses the rejection of record.

**II. The 35 U.S.C. § 103 Rejections**

Claims 26-28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Anderson, U.S. patent number 3,842,247 (hereinafter *Anderson*), in view of Eiskamp et al., U.S. patent number 4,750,133 (hereinafter *Eiskamp*). However, to establish a *prima facie* case of obviousness, *inter alia*, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Although *Anderson* discusses that envelope delay is the slope of the phase versus frequency characteristic of the transmission facility, *Anderson* also recognizes that in practical systems there are deviations in the envelope delay over the frequency band which are not reflected in the foregoing slope, see column 1, lines 20-25. Accordingly, *Anderson* proposes an accurate envelope delay measurement technique utilizing a null interval count, see column 3, lines 29-42. As such, *Anderson* teaches away from the use of a linearized phase versus frequency envelope delay. One of ordinary skill in the art would therefore not have found it obvious to modify the technique of *Anderson* in view of *Eiskamp* to meet the present claims. As such, a proper rejection of claims 26-28 has not been established under 35 U.S.C. § 103. However, in an effort to expedite the issuance of the present application, Applicant has canceled rejected claims 26-28.

**III. Summary**

In view of the above, Applicant believes the pending application is in condition for allowance. Applicant respectfully requests that the Examiner pass the present application to issue.

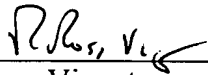
Application No.: 09/641,432

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Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 65948/P037US/10315913 from which the undersigned is authorized to draw.

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Respectfully submitted,

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